

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAUL CHILL and SYLVIA CHILL, for
the use and benefit of the CALAMOS
GROWTH FUND,

Plaintiffs,
v.

CALAMOS ADVISORS LLC and
CALAMOS FINANCIAL SERVICES
LLC,

Defendants.

Case No. 15-cv-01014 (ER)

**STIPULATION OF VOLUNTARY PARTIAL
DISMISSAL WITH PREJUDICE
PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and Defendants in the above-captioned action, that Count II of Plaintiffs' Complaint [ECF No. 01], alleging "excessive Rule 12b-1 distribution fees and extraction of additional compensation for investment advisory services" against Defendants, is hereby dismissed with prejudice and without costs or fees as to any party pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. Consequently, defendant Calamos Financial Services, LLC is hereby dismissed from the above-captioned action. This stipulation is not the result of a settlement or compromise or the payment of any consideration to Plaintiffs or Plaintiffs' Counsel.

Dated: New York, New York
April 6, 2017

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